

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR22-0197JLR

Plaintiff,

V.

JESUS RUIZ-HERNANDEZ,

ORDER

Defendant.

Before the court are two motions to withdraw as attorney filed by Mr. Gregory Hoover, who is currently representing Defendant Jesus Ruiz-Hernandez. (4/26/24 Dkt. # 304); 5/6/24 Mot. (Dkt. # 316).) Mr. Ruiz-Hernandez filed his notice of on April 30, 2024. (Not. Appeal (Dkt. # 312).)

“In general, filing of a notice of appeal confers jurisdiction on the court of appeals and divests the district court of control over those aspects of the case involved in the appeal.” *Marrese v. Am. Acad. of Orthopaedic Surgeons*, 470 U.S. 373, 379 (1985).

Pursuant to Ninth Circuit Rule 4-1, Mr. Hoover “must continue to represent [Mr.]

1 Ruiz-Hernandez] on appeal unless and until [he] is relieved and replaced by substitute
2 retained counsel, appointed counsel, or by [Mr. Ruiz-Hernandez] pro se.” Ninth Cir.
3 Rule 4-1(a)(2) (“Continuity of Representation”). If Mr. Ruiz-Hernandez desires
4 representation by “CJA / federal defense counsel” on appeal (5/6/24 Mot. at 1), Mr.
5 Hoover must, “within 14 days after filing the notice of appeal,” file a motion in the Ninth
6 Circuit “to withdraw and to appoint counsel under the Criminal Justice Act, supported by
7 a completed financial affidavit,” Ninth Cir. Rule 4-1(c)(1)(B).

8 The court therefore DENIES the motions to withdraw (Dkt. ## 304, 316).

9 Dated this 7th day of May, 2024.

10 
11 JAMES L. ROBART
12 United States District Judge
13
14
15
16
17
18
19
20
21
22